

**Posted – October 16, 2013**

**REGULAR MEETING OCTOBER 21, 2013**

**TOWN COUNCIL OF THE TOWN OF MIDDLETOWN, RHODE ISLAND**

**The following items of business, having been filed with the Town Clerk under the Rules of the Council, will come before the Council at a regular meeting to be held on Monday, October 21, 2013 at 7:00 P.M. (PRESENTATIONS - 6:00 PM- UPDATE - STORMWATER STEERING COMMITTEE; 6:30 –UNIFIED HIGH SCHOOL EXPLORATORY COMMITTEE) the Middletown Town Hall, 350 East Main Road, Middletown, Rhode Island. All items on this agenda, with the exception of the Public Forum Session, may be considered, discussed and voted upon.**

**Any person not a member of the Council, desiring to address the Council concerning a matter on the docket of the Council, not the subject of a Public Hearing, shall submit a written request to the Town Clerk stating the matter upon which he desires to speak. Persons are permitted to address the Council for a period not to exceed five (5) minutes.**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**RECONSIDERATION**

**The Middletown Town Council follows the codification of present-day**

**general parliamentary law as articulated in Robert's Rules of Order Newly Revised 10th edition (2000), together with whatever rules of order the Council has adopted for its own governance. The motion to reconsider is one of the motions that can bring a question again before an assembly, and is designed to bring back for further consideration a motion which has already been voted on:**

**If, in the same session that a motion has been voted on, but no later than the same day or the next day on which a business meeting is held, new information or a changed situation makes it appear that a different result might reflect the true will of the assembly, a member who voted with the prevailing side can, by moving to Reconsider [RONR (10th ed.), p. 304-321] the vote, propose that the question shall come before the assembly again as if it had not previously been considered. (From Robert's Rules of Order Newly Revised In Brief, Robert, Evans et al., De Capo Press, 2004)**

## **PRESENTATIONS**

**1. 6:00 PM - Update – Stormwater Steering Committee.**

**2. 6:30 PM - Memorandum of Councillor Adams and Councillor VonVillas, with enclosures, re: Unified High School Exploratory**

## **Committee Presentation.**

### **PUBLIC FORUM SESSION**

**3. Pursuant to Rule 23 of the Rules of the Council, Citizens may address the town on one (1) subject only, said subject of substantive Town business, neither discussed during the regular meeting nor related to personnel or job performance. Citizens may speak for no longer than five (5) minutes and must submit a public participation form to the Council Clerk prior to the start of the meeting. All items discussed during this session will not be voted upon.**

### **ACTING AS A BOARD OF LICENSE COMMISSION**

#### **4. (Public Hearing Advertised)**

**Application of Custom House Coffee, LLC dba Custom House Coffee, 797 Aquidneck Avenue for RENEWAL of its Retailer's Class BV Alcoholic Beverage License for the 2013-2014 licensing year.**

#### **5. (Public Hearing Advertised)**

**Application of Royal Plaza, LLC dba Portofino Bar & Grille at Royal Plaza, 425 East Main Road, for RENEWAL of its Class BT Alcoholic Beverage License for the 2013-2014 licensing year.**

**6. (Public Hearing Advertised)**

**Application of Andrews At Eastgate, Ltd dba Gold's Wood Fired Grille & Café, 21A Valley Road, holder of a Class BV Alcoholic Beverage License to TRANSFER said 2012-2013 license to Back of the Bus, LLC dba IDA's Restaurant, for use at the same premise.**

**7. Application of Back of the Bus, LLC dba IDA's Restaurant, 21A Valley Road, for RENEWAL of its Retailers Class BV Alcoholic Beverage License for the 2013-2014 licensing year. (Requires Advertising for Public Hearing)**

**CONSENT**

**8. Approval of Minutes, re: Regular Meeting, October 7, 2013.**

**9. Email communication of Louise R. Phaneauf, Burrillville Town Clerk, with enclosure, re: Supporting Middletown resolution – The concept of bringing the Retired Aircraft Carrier USS John F. Kennedy to Newport County.**

**10. (Continued from Regular Meeting, July 15, 2013)**

**(Continued from Regular Meeting, June 17, 2013)**

**Memorandum of Gladys B. Lavine, Chair, Middletown Planning Board, with enclosures, re: Impact Fee Schedule Recommendation. (The Administration requests to continue this matter to November 18, 2013, Regular meeting of the Council)**

**11. (Continued from October 7, 2013, Regular Meeting)**

**An Ordinance of the Town of Middletown (First Reading)**

**An Ordinance in Amendment to the Town Code of the Town of Middletown, Title III, Administration, Chapter 36, Fee Schedule, Section 45, Burial Lots. (The Administration requests to continue this matter to November 4, 2013, Regular meeting of the Council)**

**12. Application of Custom House Coffee, LLC dba Custom House Coffee, 797 Aquidneck Avenue for RENEWAL of its Victualling House License for the 2013-2014 licensing year.**

**13. Application of Royal Plaza, LLC dba Portofino Bar & Grille at Royal Plaza, 425 East Main Road for RENEWAL of its Victualling House License for the 2013-2014 licensing year.**

**14. Application for Special Event Permit from Middletown High School for the 2013 Homecoming Parade from MHS – Valley Road – East Main Road – Wyatt Road, Turner Road to Gaudet Athletic Complex, October 25, 2013 beginning at 5:00 pm. (No fee per ordinance 100.03 –**

**Events sponsored by the Town)**

## **LICENSES & PERMITS**

**15. Application of Back of the Bus, LLC dba IDA's Restaurant, 21A Valley Road, for a Victualling House License for the 2013-2014 licensing year (NEW)**

**16. Application of Delops, Inc. dba D'Angelos Grilled Sandwiches, 401 West Main Road, for a Victualling House License for the 2013-2014 licensing year (NEW)**

## **ORDINANCE**

**17. An Ordinance of the Town of Middletown (Second Reading)**

**An Ordinance in Amendment of the Town Code of the Town of Middletown, Title IX, Chapter 90 Animals, Section 90.20 Definitions and Section 90.27 Places Prohibited to Dogs.**

## **OTHER COMMUNICATION**

**18. Communication of Timothy D. Brown, VP Middletown Athletic Boosters Club, re: Requesting support for the 4th Annual Soccer on**

**the Turf Fundraiser to be held on November 3, 2013.**

## **TOWN ADMINISTRATOR COMMUNICATIONS**

**19. Memorandum of Town Planner, thru Town Administrator, with enclosure, re: Small Business Saturday, November 30, 2013.**

**20. Memorandum of Accounting Manager, thru Finance Director, re: Quarterly Tax Collector's Report as of 09/30/2013 – Town of Middletown.**

## **APPOINTMENTS TO BOARDS & COMMITTEES**

**21. Appointment of one (1) member to the Middletown Committee for the Arts for term expiring April 2016.**

**22. Appointment of two (2) members to the Beach Commission for terms expiring November 2015.**

**23. Appointment of two (2) members to the Library Board of Trustees for terms expiring September 2016.**

**24. Appointment of two (2) members to the Open Space and Field Committee for terms expiring November 2016.**

**25. Appointment of one (1) member to the Personnel Board for term expiring December 2016.**

**Wendy J.W. Marshall, CMC**

**Town Clerk**

**This meeting location is accessible to the handicapped. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office not less than 48 hours before this meeting.**